

**GOVERNMENT OF TELANGANA
ABSTRACT**

The Telangana Goods and Services Tax Act, 2017 (Act No. 23 of 2017) – Transitional credit – Special Procedure for manual filing of appeal against the orders passed by the proper officer Under section 73 or 74 of the Act –Notification - Orders - Issued.

Revenue (CT-II) Department

G.O.Ms.No. 10

Dated: 29-01-2024

Read the following:-

1. Government of India, Ministry of Finance, (Department of Revenue), Central Board of Indirect Taxes and Customs, New Delhi, Notification No. 29/2023, Central Tax, Dt. 31-07-2023.
2. From the Commissioner of Commercial Taxes, Telangana, Hyderabad, Lr No.. A(1)/63/2023,Dt. 20-10-2023.

ORDER:-

The following Notification shall be published in an Extra-ordinary issue of Telangana Gazette Dt:29.01.2024.

NOTIFICATION

In exercise of the powers conferred by section 148 of the Telangana Goods and Services Tax Act, 2017 (Telangana Act No.23 of 2017) (hereinafter referred to as the said Act), the State Government, on the recommendations of the GST Council, hereby notifies the following special procedure to be followed by a registered person or an officer referred to in sub-section (2) of section 107 of the said Act who intends to file an appeal against the order passed by the proper officer under sections 73 or 74 of the said Act in accordance with Central Board of Indirect Taxes and Customs Circular No. 182/14/2022-GST, dated 10th of November, 2022, adopted by the State Government vide CCT's Ref No. A(1)/121/2019, Dt: 27-04-2023, pursuant to the directions of the Hon'ble Supreme Court in the case of Union of India v/s Filco Trade Centre Pvt. Ltd., SLP(C) No.32709-32710/2018.

2. An appeal against the order shall be made in duplicate in the Form appended to this notification at ANNEXURE-1 and shall be presented manually before the Appellate Authority within the time specified in sub-section (1) of section 107 or sub-section (2) of section 107 of the said Act, as the case may be, and such time shall be computed from the effective date of this notification or the date of the said order, whichever is later:

Provided that any appeal against the order filed in accordance with the provisions of section 107 of the said Act with the Appellate Authority before the issuance of this notification, shall be deemed to have been filed in accordance with this notification.

3. The appellant shall not be required to deposit any amount as referred to in sub-section (6) of section 107 of the said Act as a pre-condition for filing an appeal against the said order.

4. An appeal filed under this notification shall be accompanied by relevant documents including a self-certified copy of the order and such appeal and relevant documents shall be signed by the person specified in sub-rule (2) of rule 26 of Telangana Goods and Services Tax Rules, 2017.

5. Upon receipt of the appeal which fulfills all the requirements as provided in this notification, an acknowledgement, indicating the appeal number, shall be issued manually in FORM GST APL-02 by the Appellate Authority or an officer authorised by him in this behalf and the appeal shall be treated as filed only when the aforesaid acknowledgement is issued.

6. The Appellate Authority shall, along with its order, issue a summary of the order in the Form appended to this notification as ANNEXURE-2.

7. This notification shall be deemed to have been inserted with effect from the 31st day of July, 2023.

ANNEXURE-1

Appeal to Appellate Authority

(Filed against an order passed in accordance with CBIC Circular No. 182/14/2022-GST, dated 10th of November, 2022 adopted by the State Government vide CCT's Ref No.

A(1)/121/2019, Dt: 27-04-2023 pursuant to the directions issued by the Hon'ble Supreme Court in the Union of India v/s Filco Trade Centre Pvt. Ltd., SLP(C) No.32709-32710/2018)

1. GSTIN–
2. Legal name of the appellant –
3. Trade name, if any –
4. Address –
5. Order No. - Order dated –
6. Designation of the officer passing the order appealed against –
7. Date of communication of the order appealed against –
8. Name of the authorized representative –
9. Details of the case under dispute –
 - (i) Brief issue of the case under dispute –
 - (ii) Amount of transitional credit claimed before the issuance of CBIC circular no. 182/14/2022-GST, dated 10th of November, 2022 adopted by the State Government vide CCT's Ref No. A(1)/121/2019, Dt: 27-04-2023 (Act-wise)–
 - (iii) Details of any order u/s 73/74 passed in respect of the claim referred to in sub-item (ii) above:
 - (a) Order No. - Order dated-
 - (b) Amount allowed as per said order (Act-wise)-Rs.
 - (c) Interest and penalty levied as per said order (Act-wise)-Rs.
 - (d) Whether any appeal preferred against said order- Yes/No
 - (e) If appeal filed then Appeal No.- Appeal Date-
 - (f) Status of said Appeal- Disposed/Pending
 - (g) If appeal disposed off then amount of credit allowed as per said Appeal (Act-wise)-Rs.
 - (iv) Amount of transitional credit claimed after the issuance of CBIC circular no. 182/14/2022-GST, dated 10th of November, 2022 adopted by the State Government vide CCT's Ref No. A(1)/121/2019, Dt: 27-04-2023 (Act-wise)–
 - (v) Amount of credit allowed in pursuance of claim referred to in sub-item (iii) above (Act-wise)-Rs.
 - (vi) Amount under dispute (Act-wise)-Rs.
10. Whether the appellant wishes to be heard in person – Yes / No
11. Statement of facts:
12. Grounds of appeal:
13. Prayer:

Verification

I, < _____ >, hereby solemnly affirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief and nothing has been concealed there from.

Place:

Date:

Signature

Name of the Applicant

Note:

1. If the space provided for answering any item is found to be insufficient, separate sheets may be used.
2. The letters "N.A." may be recorded against any item that is not required for this Appeal.

ANNEXURE-2

SUMMARY OF TRANSITIONAL CREDIT AVAILABLE AFTER ISSUE OF ORDER BY THE APPELLATE AUTHORITY WITH REFERENCE TO AN ORDER PASSED IN ACCORDANCE WITH CBIC CIRCULAR NO. 182/14/2022-GST, DATED 10th of NOVEMBER, 2022 ADOPTED BY THE STATE GOVERNMENT VIDE CCT's REF No. A(1)/121/2019,
Dt: 27-04-2023

- | | |
|--|--------|
| A. GSTIN - | |
| B. Name of the Appellant/ person- Address of the Appellant/person - | |
| C. Order appealed against- Ref. (if any) | Dated- |
| D. Appeal No. | Dated- |
| E. Personal Hearing- | |
| F. Order in Brief- | |
| G. Status of Order- Confirmed/Modified/Rejected | |

H. Amount of Credit/ Demand after Appeal-

| Particulars | Central Tax | State Tax |
|---|-------------|-----------|
| a) Amount of transitional credit found to be admissible pursuant to order of the Proper Officer | | |
| b) Amount determined by Appellate Authority | | |

Place:
Date:

Signature:
Name of the Appellate Authority:
Designation:
Jurisdiction

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**SUNIL SHARMA
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To:
The Commissioner of Printing, Stationery and Stores Purchase (Publication Wing) Telangana, Hyderabad for publication of the Notification (He is requested to supply 5 copies of the notification to this Department and 300 copies to Commissioner of Commercial Taxes, Telangana, Hyderabad)
The Commissioner of Commercial Taxes, Telangana State, Hyderabad.
The Secretary, GST Council, 5th Floor, Tower II, JeevanBharti Building, Janpath Road, Connaught Place, New Delhi-110 001.
The Principal Chief Commissioner, GST Hyderabad Zone, Kendriya GST Bhavan, L.B. Stadium Road, BasheerBagh, Hyderabad-500 004.
Copy to:
The Accountant General, Telangana State, Hyderabad.
The Law (A) Department
The Law (TLSP) Department
The PS to Principal Secretary to Hon'ble Chief Minister
The P.S. to Special Chief Secretary to Government,
Revenue (CT & Ex) Department
Sf /Sc..

//FORWARDED :: BY ORDER//

SECTION OFFICER